USE THE UNION'S POWER

UPSURGE

FIRST CLASS MAIL

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Missouri Mechanics Strike:

TEAMSTER OFFICERS SCAB

The Teamster Central States contract may be settled, but the battle went on for the International Association of Machinist mechanics throughout Missouri and at the Kansas City, Kansas hub.

On June 30, the Machinists' contract expired and the Union agreed to a 10-day extension pending a vote by the membership on the Company's "final offer." When the membership voted, the proposal was rejected. The Missouri and Kansas City hubs were filled with parcels to be sorted and delivered as the picket lines went up Sunday, July 11. The big brown machine was caught with its drawers down, so to speak.

In Kansas City, the full-time hub workers were the first shift scheduled for work. They started arriving shortly after midnight on Monday, July 12. As they refused to cross the Machinists' picket lines, management told them the pickets were illegal, the previous court injunctions were still in force and those employees who refused to cross the lines would be fired. The **stupidvisors** blood pressures shot up as the workers stayed off the job.

The next shift scheduled for work was the AM preload. As they began arriving, supervisors were at the gate trying to convince them to come to work while other preloaders stood at the entrances to ensure that all employees arriving for work were aware of the strike situation.

UNION HERDS SCABS

The first 2 days of the strike were sanctioned by the Teamster leadership, but on Tuesday, Vice President Roy Williams rescinded his sanction of the Machinists' strike and ordered Teamsters back to work. The Teamster leadership soon knew that their word was no longer law as rank and file Teamsters of Kansas City STILL refused to cross the Machinists' lines.

Early Wednesday morning Roy Williams sent a 3-man delegation to the Kansas City hub to persuade the Teamster members to cross the Machinists' lines. They failed to impress anyone and most workers went home. On Thursday, BA Jim Cantlin and a feeder driver rumored to be aiming for BA stood at the gate trying to get workers to violate the Machinists' lines. Once again they failed.

The Company's first attempt to bust the Machinists' strike from within the Teamsters Union had failed. They were sure their second plan of attack would not.

Thursday night, July 15, some 110 supervisors from all over the country began descending on Kansas City. It is not known whether it was the threats of union and management coupled with arriving hordes of supervisors, but Friday morning 4 package car drivers and 5 or 6 feeder drivers, including Kansas City's top seniority steward, reported for work. On Monday, July 19, about 74 drivers out of 150 and a large percentage of the part-time force returned to work.

On Tuesday the victory which the Company was beginning to taste started slipping away. Full and part-timers alike phoned their co-workers to urge support of the mechanics' strike. Also groups of workers gathered prior to each shift to convince would-be scabs to honor the Machinists' picket lines.

As part-timers gathered before the PM shift on Tuesday, they were evicted from UPS property by management. They continued to talk to their co-workers - from the street.

COPS CALLED

On Wednesday night the "program was repeated," in the words of one **stupid**visor who assisted in the eviction of the PM part-timers. But this time, after watching and photographing the part-timers, the Company sent the police in for the bust. The police ordered all the part-timers to leave immediately or they would be charged with unlawful assembly, disturbing the peace, and any other charges they could think of. When someone reminded the lieutenant of the first amendment right "of the people to peacefully assemble," he said three people constitute unlawful assembly and, regardless of the constitution, they would be arrested. The part-timers agreed to leave since no more workers were arriving. Part-timers were planning a repeat performance for Thursday night, but the contract was settled in the meantime.

WHAT WERE THE ISSUES?

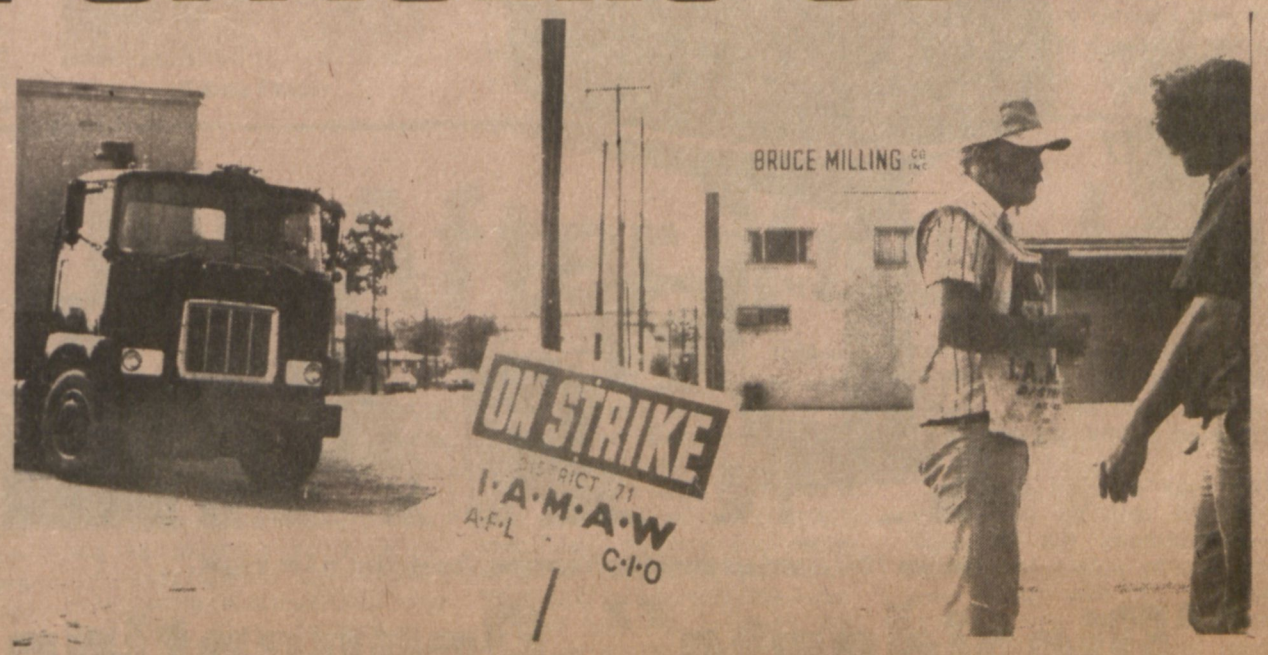
The issues of the mechanics' strike are the same ones that figure in every strike against UPS: WORKING CONDITIONS. In Kansas City, the mechanics want a rearrangement of shifts so that they can spend more time with their families and so the number of mechanics assigned to repair vehicles is equal to the number of stalls available. Presently, they are forced to repair vehicles out in the aisles, creating a safety hazard. They are also unhappy about UPS's subcontracting work out to private shops. All major repairs and all diesel repair are done on a subcontract basis. Also, UPS management in St. Louis is using apprentice help to eliminate mechanics' jobs.

CONTRACT RATIFIED

The mechanics ratified a new 3-year contract on Thursday, July 22. They will be getting the $1.65 per hour increase over three years. Also, they are receiving an uncapped cost-of-living clause identical to that obtained in the Teamster Central States Agreement. As we go to press we have no final word on changes in working conditions.

Had it not been for the support shown by the rank and file Teamsters in Missouri and Kansas City, Kansas for the Machinists' strike, no doubt they would have been stuck with a sell-out. It just goes to show, there is power in unity.

Randy L. Stanard



SUPERVISOR DRIVES ACROSS MECHANICS PICKET LINE IN KANSAS CITY. photo by Walter Hodge

STRIKE IN EAST ?

Negotiations for the Eastern States Contract covering 15 states are coming down to the wire. According to various members of the Union Negotiating Committee, as of Sunday, July 25, the Company and Union were still far apart with deadline only one week away. There is a chance that no agreement will be ready for the union meetings called in most eastern cities for Sunday, August 1st. In this case the Union must recommend either an extention or a strike.

In the East, United Parcel's not even offering the package which was just ratified in the Central States. In fact, UPS is trying to make the Eastern contract a step backward. For example, rather than negotiate a night pay differential into the master contract, the company wants to take this benefit away from the northern New Jersey workers who now have it. Rather than extending best conditions to all, they are attempting to wipe out good conditions already in existence in individual locals.

The Union Negotiating Committee has consistently stated that they would recommend a strike in the event that any local's current conditions are threatened by this new regional contract. The rank and file must hold the Negotiating Committee to its word! However, we should not have to lose conditions in order to justify strike action. This Union should use a strike to win even better conditions than **any** of our Locals have now.

MEETING STRATEGY

STEP 1. At your local Union meetings the membership must be well organized and ready to **vote NO** on any offer which does not include the following:

(1) A clause protecting all jobs now performed by full time employees.

(2) Full benefits for part timers. The same wages that part timers get in the Central States. The right for part timers to bid on full time vacancies according to seniority.

(3) A grievance procedure which allows us to innocent until proven guilty.

(4) A clause prohibiting the use of performance or production standards.

STEP 2. If an extension is requested ... VOTE NO. Demand a strike vote. This Company has known for three years when this contract would expire and negotiations have been taking place for three months. The Union Negotiating Committee has demanded an offer and a strike has been threatened.

We want no more extentions. If the Company sees every threat as a bluff, we will have zero bargaining power.

The Central States strike was responsible for the gains made there. The Chicago, Illinois, and Indiana Locals did not strike and now have worse contracts than the Central states. Their Union officials got them nothing but the freight wage increase. This company responds to rank and file action, not just idle threats or "reasoning".

STEP 3. If we strike, demand that we be allowed to vote on when to return to work. We do not want to be "ordered" back to work by the Union as was done to the rank and file in the Central States.

STAND TOGETHER

Remember this is an Eastern Contract covering 15 states. Unlike the past, we are not fighting in individual areas for our own separate contracts. UPS management is constantly in touch with each other all over this eastern region. We too have to coordinate our efforts if we're going to get a decent contract. That means staying in touch with the UPSurge East Center.

By Friday, July 30th, UPSurge will probably have more up to date information about the state of negotiations and what will be taking place at your local Union meetings, August 1st. People from Maine to the Carolinas will be calling in reports on their meetings and will want to know what is happening in other areas. If you don't call us, we won't know.

From Friday morning until Sunday evening there will be someone stationed at the UPSurge East Center phone in Pittsburg, PA. That number is **412-421-1691**. Remember: the next four days determine the next three years. Don't take a back seat.

Retro Pay

UPS management has been trying to scare many employees in the East by telling them a strike will cause us to lose our retroactive pay. **THE UNION SAYS THIS IS AN ABSOLUTE LIE.**

At the start of the negotiations the union made it clear that all employees will receive retroactive pay from the original date of the contract expirations until a settlement is reached.

TEAMSTERS: "GO TO HELL!"

"Teamsters, Go to Hell!" Yes, fellow Union members, that's what Frank Fitzsimmons said to us all at the Las Vegas IBT Convention, 1976. By now you've all gotten Frank's heart-warming apology in the mail. In this big cover-up letter to the membership addressed "Dear Brother," (and we hate to remind Frankie 'ole boy that there are a few "sisters" in the "brotherhood" now a days) our glorious leader tries to **deny** that he told each and everyone of us to "GO TO HELL". He claims that statement was meant for some "group of less than 20 men --- some not even members of our Union --- who attempt to disrupt the orderly proceedings."

SORRY FRANK

Well, we hate to disappoint you again Frank (like we disappointed you with the **Teamsters for a Decent Contract** and **UPSurge**), but there's a lot more than 20 disatisfied members in this Union. We are ready to "disrupt" your corrupt "orderly procedures" and build a rank and file movement that can transform this Union into a democratic union and one that fights for our rights on the job.

Step one in changing this union was to fight for decent contracts. Both the Master Freight Agreement and now the United Parcel Area Agreements have been or are in the process of being negotiated. In the area of wages these contracts are far superior to anything the membership has gotten in the past. The UPS Central States Contract made some improvements over past contracts in the areas of: part timers bidding on jobs, excessive overtime, and supervisors doing Union work. This contract doesn't come close to being the one we went on a 2 week strike for, but it's a step up from the one we lived under for the last three years.

For United Parcel Service the next three years are crucial: there will be a national contract in 1979 whether we like it or not. The Union has finally put this in writing. It is up to **UPSurge** to make that national contract one that is negotiated by and for the membership. Yes, the next three years are crucial and the most important thing to do right now is to look seriously at where we stand in this mighty Teamsters Union.

UPS employees make up about 2% of the Teamsters Union. Though we are few in numbers, we can turn the tide in favor of better Union officers and bylaws. We were active, effective, and successful in our pre-strike Union meetings in the Central States because we were organized. We need to build up stronger organization all over the country in the next three years and make our **UPSurge** local committees even more effective.

JOIN OTHER TEAMSTERS

But to be really effective in the Local Unions and eventually in the International, we have to stand side by side with other rank and file Teamsters who are working to build an effective, democratic Union. That means joining with the **Teamsters for a Democratic Union (TDU)** and giving them our wholehearted support. Without **us** their job is ten times harder. Without **them**, we might as well forget about changing this Union because we just aren't big enough to do it alone. □

Los Angeles TDU members picket the Teamster Convention in Los Vegas.

"Dissidents" Convention

September 18 to 19 in Kent, Ohio (at Kent State University, outside of Cleveland), **Teamsters for a Democratic Union (TDU)** is holding their founding convention.

If you've been an active member of **UPSurge** or even just a regular reader of the newspaper, you should attend the national rank and file convention. If you attended the big UPSurge meeting in Indianapolis in January, you know how great it feels to be surrounded by 650 fellow union members standing together for the first time determined to fight for what's right in this Union.

The September national rank and file convention promises to be even better. Special time has been set aside Saturday night, Sept. 18th, for an **UPSurge** meeting. During the rest of the convention UPS participants will attend and lead workshops ranging from: health and safety on the job (know your rights and know the laws); how to run for local union election; bringing democracy to the International; speed-up and casualization and the use of part timers; and organizing to change the Local bylaws as a way to increase rank and file power.

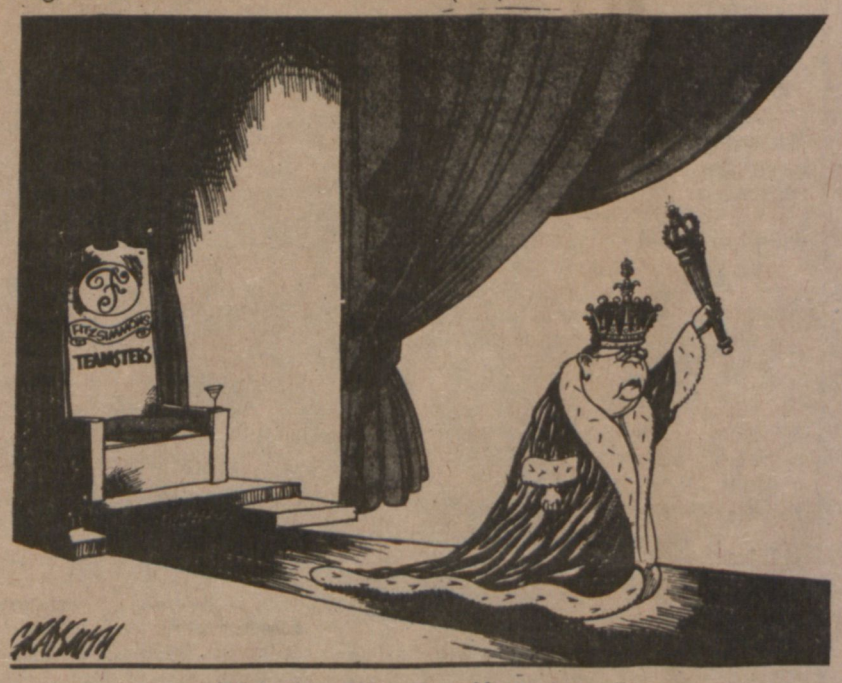
UNITE ALL TEAMSTERS

There will be another series of workshops on organizing and uniting all Teamsters. There will be workshops on: how to publish local newsletters and how to use national newspapers like **UPSurge** and **Convoy** to build a bigger movement. Women and wives and the IBT will be a special workshop where women can discuss the special kinds of problems we face in this predominately male trucking industry and how other women are often put in inferior "sweetheart" contracts in other Teamster jurisdictions. The question of race discrimination as it's used by the companies and the Union to keep the rank and file from being unified will be discussed.

These are just a few of the topics to be covered both in the workshops and the general plenary sessions. Come: hear an eyewitness report by Pete Camaratta, rank and file delegate from Detroit Local 299 to the Las Vegas IBT Convention. Participate. Be one of the "dissidents" who is working to make this Union one that will fight for us.

No, we're sorry to disappoint you, Frank, there will be more than "20 men" trying to "disrupt" your so-called "orderly Proceedings".

For convention registration information and agenda details, contact UPSurge, PO Box 18213, Cleveland, OH 44118 or call (216) 371-0881.



"Hang the reformers! . . . Next case . . ."

Part-timers Win Pay

John Dawson and Sam Wilkens, Owensboro, Kentucky part timers, are back on the job after successfully fighting UPS's attempts to railroad them out of a job.

Both men were fired May 21, just days after the Central States strike had ended. They were fired for "insubordination" and "threatening management". It seems the company felt these two men were suppose to put up with constant harassment by a super hard-nose, smart aleck stupidvisor, who made it a habit to stand right up in a man's face and make threats about working faster.

This stupidvisor made one big mistake. He fired Dawson and Wilkens without a warning letter and could produce no witnesses to his claims that he, himself, had been harassed. Members of Teamsters Local 89, on the other hand, had done their duty and submitted several statements witnessing the special harassment of their Union brothers.

Dawson and Wilkens won all except for five days out of the seven weeks back pay. It looks like the state Grievance Panel made the right decision in granting them their back pay and reinstatement, but we'd like to know why they weren't given their **full** back pay? What's the five days penalty for?

UTAH

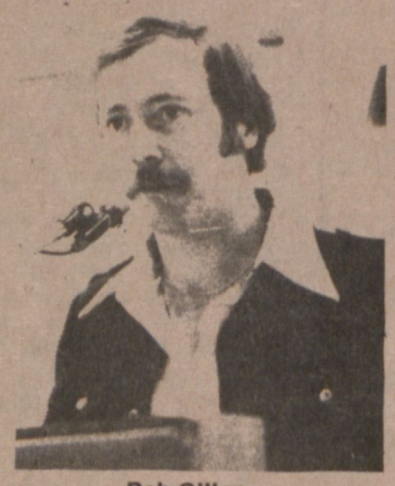
UPSurge is alive in Utah. Out there UPS is still non-Union. Teamster Local 222 claims it is going to negotiate a contract based on the Oregon contract, but no definite date is set yet.

Supporters of **UPSurge** in Utah have been circulating flyers to the UPS workers there. This is all done "underground" to prevent the Company from firing these people. The flyers have reprints of sections of the Oregon contract and articles from the national **UPSurge** newspaper. Before these flyers UPSers were kept completely in the dark by the Union and Company.

UPSurge P.O. Box 18213
Cleveland, Ohio 44118
216-371-0881

Philly UPSurge

"Togetherness . . . without that we can't do a thing." Those were the words of Sam Douglas, part timer in the Philadelphia Hub, speaking at the first Philly area UPSurge meeting, Saturday night, July 24th.



Bob Gillen

A few full timers questioned if part timers and full timers could ever work together, or be unified, since many part timers only stay at UPS for a short while and don't seem to "care" much about contracts, unions or filing grievances. Rita Drapkin, member of the UPSurge East Steering Committee and a Pittsburg Hub part timer, answered the full timers: "When I first came to UPS I applied for a full time job. Believe me, we're not all students and we need full time jobs just like anyone else."

Rita pointed out that part timers have played a big part in building UPSurge and taking the lead in organizing for decent contracts, because it's the new, young Hub workers who get hasseled the most by management to speed up production.

Other speakers at the meeting were Anne Mackie, Cleveland UPSurge, and Bob Gillen package driver, Jenkintown Center Local 384. Bob

LETT

We here in Paducah, Kentucky are much distressed to hear the reports from the Teamster Convention. It seems we not only have to watch UPS . . . but also our own Union officials . . . or else we're completely screwed. What we would like to know is how we can go about tearing down the gangster organization that's at the top. We would like to see **UPSurge** contact that group of "Rebels" (as our mighty leader called them) and see how we could assist them in their fight against Fitzsimmons and his crooks. They have begun the fight . . . they even have an attorney . . . let's join them and bring about reorganization of our Union and make it what it was suppose to be . . . a representative of the rank and file.

UPSurge is growing by leaps and bounds. A column each issue about the progress of this "disident group" could keep us informed. Now we must wait only for the news reports.

Paducah UPSer

We have included an article in this issue about those "disidents in Los Vegas. They were the Teamsters for a Democratic Union and they are holding their founding convention. Make your plans to come now.

★ ★ ★

I have driven for United Parcel for five years in the Midwest. We are in the North Illinois district and our Local is 200 miles away in Chicago. We have not seen a Business Agent in four years. We have many problems in our center of which the majority are caused by stupidvisors and their petty bullshit nagging. They ask us why we have a bad attitude and I tell them I didn't have this bad attitude when I came here.

I think they get these stupidvisors in school and teach them this one phrase first: "How come you have a bad attitude?"

A driver can be out busting his backside all day and half of the night and these stupidvisors will ask him where he has been when he comes in. That is the petty bullshit I'm talking about. I mean life has enough problems without a monkey on a string hastling you.

They like to keep us in the dark so we cannot unite with other centers and make a decent place to work.

The first time I heard or read about **UPSurge** was just a few weeks ago. It's our only source of information about the contract talks. The Union won't give any information and the Company tells us what they want us to hear.

I am writing to tell you that we are glad to see someone still interested in the rank and file. We would like to see **UPSurge** in our area. We would give you plenty of support.

★ ★ ★ Milan, Illinois

We didn't even know what **UPSurge** was until two days ago and we were very excited to hear that there is something going on to unite UPS employees. A feeder driver gave us a copy, from last January, and they were passing it around and hiding it like it carried the death penalty.

We UPS employees of the Southern region have no idea of what benefits other areas of the US have and the Union won't tell us or help us in any way. We are members of Local 79 of Tampa and we haven't seen a Business Agent in four months or heard from one either. We need help and we need it now!!

We got screwed bad on our last contract and the Union reps bullshited us into thinking we got the best we could. We don't want this to happen again.

I will do everything I can to help our cause in this area.

Sarasota, Florida

TERS

Since Christmas the Harrisburg Hub has twice lost 10 to 15 thousand parcels a day to the Philadelphia hub. Every time we lose this work, Philadelphia hires more part timers to do the work.

One full timer has been fired twice since Christmas. Once for calling off sick the Friday after Christmas and the second time for supposedly opening a package and going through the contents. He was really gathering split merchandise and returning it to the package. No questions were asked, he was just fired.

Both times he was reinstated after missing one day of work. These are prime examples of pure harassment on the part of supervision, knowing they never had anything on the man.

The Harrisburg Seven
Harrisburg, PA

★ ★ ★

Since **UPSurge** has been coming out about 6 months, I notice that you refer to supervisors as stupidvisors. Many stupidvisors are complaining about it, as they feel it is an insult to their intelligence.

What intelligence; they haven't got any intelligence that I know of. As for insult, that's impossible, as they are too arrogant, and ignorant to be insulted.

However, so that we may accomadate them, I feel we should have a contest of some sort to pick a name for them. If you approve of this, I suggest we refer to them as nincompoots, as that name is proper and fitting, and appropriate as well,

Pittsburgh, PA

P.S. The reason they complain maybe, is because the "truth hurts."

★ ★ ★

Well, us guys up here in Minnesota got sold out by our good Union again. We were all forced back to our jobs by the Union and the Company. Or we could all look for another job, which is what the Company wants anyhow.

I've come up with a good idea for the front page of the next issue of **UPSurge**. Tell everybody to withdraw from the Thrift Plan. Why should we let them use our hard earned dollars so they can make more for themselves.

This year the plan won't earn any interest anyhow because UPS will blame the strike for a loss of all the profits. So withdraw your money, put it into a time savings certificate at 7½% and come out ahead.

Keep up the good work; we're still behind **UPSurge** up here. So let's harass the Company like they harass us, and let's hope we get something on our 2nd contract proposal.

Pissed Off

★ ★ ★

I am very proud of the effort my fellow constituents have put forth. We all know that we do a good job for UPS or they would not be where they are today. All indications show UPS is a money maker to beat all. What the rank and file are asking for is not financially out of the question and yet may provide more incentive to rank and file to hustle parcels.

I hope to see **UPSurge** continued, even after the settlements are ratified. It will get better each time around.

Let's stick together!

Fort Wayne, Indiana Parcelman

P.S. After all, we do the labor, the advertising, the paperwork and the investing. Who else deserves it? Definitely not the greedy Administration of the Management and the Union that most of us have never met even in Talk and Listen.

Raffle Winners

Linda Dodril	Elyria, Ohio
Charles Zimmerle	Nashville, TN
Howard Cohen	New Jersey
Sherry Gott	Louisville, KY
Randy Stanard	Kansas City
Jerry Simon	Huron, Ohio

Sam Douglas

stressed the need for organizing a local Philadelphia area UPSurge Committee and newsletter. In explaining what UPSurge is all about, he said; "**You** are UPSurge. UPSurge is only as strong as you want it to be. And as strong as you let UPSurge become will determine how strong our Union becomes."

Los Angeles Clerks Fired Again !!

There's a war on at the Los Angeles Soto Hub. For the last four months, the non-union clerks have been organizing to get into the Union against the resistance of both UPS and the Teamsters. UPS has struck the latest blow by "terminating" two UPSurge activists, Karen Pomer and Carrie McCall.

In a recent interview with **UPSurge**, McCall said, "I've been working at UPS over a year and a half and nobody knew we weren't in the Union. I mean, you couldn't tell the difference since I was personally unloading two trucks a night even though clerks weren't supposed to handle packages. They shifted me from center to center and even hub to hub with only a day's notice. They changed my shift whenever they felt like it. You see, without being in the Union, we were vulnerable. If we objected too loud or refused, we'd get fired. I believe UPS thought they could get away with manipulating the clerks because most of us were women. We had no seniority rights and no opportunity to bid on other jobs. I've been applying for a Union job from the very beginning, but I was told that clerks were "too close to management". But that's a lot of jive. They just wanted non-union people to manipulate instead of having to pay Union wages and go by Union rules."

Karen Pomer

Pomer commented, "We explained our case at an **UPSurge** meeting in April. The Union members there were outraged that we weren't in the Union and were doing a lot of Union work. They filed a grievance and we backed it up with a petition with 500 signatures from Union members. The Union officials finally agreed to handle the grievance, but they did nothing. UPS fired 45 of us the first day of the Central States strike. They said there was no work for us. Some Union people were laid off, but we were fired. They actually admitted they fired us because we had no recall rights.

"When the Union didn't do anything to back us up, we took it into our own hands and sent a representative to intimidate the company with threats of law suits and mass actions. Within 24 hours we all got our jobs back."

"But they were just biding their time until they could think of another excuse to fire us," McCall added. "This time they claimed one person could do Karen's and my job, so got rid of us both and put in someone from an earlier shift. That's called speed-up in my book. I asked them why they couldn't just shift us to another job as they've been doing with us all along and they couldn't give any explaination."

Asked where they were going from here, Pomer responded, "We've filed charges against UPS with the Labor Board and the Equal Employment Opportunities Commission. But we don't have much faith in those agencies since they move so slow and are part of the Government, which sides with companies like UPS. What we need is the support of rank and file Union members, like those who signed our petitions with the Union and who helped us get our jobs back the first time we got fired. We showed then that if we all fight together, we can win." □

Secret Document UPS After Your Job

UPS is out to get your job. That's what a secret memorandum obtained by **UPSurge** has revealed. The document lays out step by step how to fire someone for low productivity and get away with it. Their goal is to establish recognized "production standards" which are then the basis for termination if not met.

UPS's Industrial Engineers will have a field day. They must really be irritated now that they can't enforce their present production standards the way they would like to. (What's the use of stop watchs and slide rules if you can't get anyone to take them seriously.) Presently, the Union gets in their way (sometimes). People won't fit into their algebraic production equations. In short, their employees just won't behave like robots .... and this bugs the hell out of them.

Though this memorandum originated in the Pennsylvania region, it will be used across the country. After all, higher production means higher profits, and that means higher bonuses.

Already Carroll Cunningham in Louisville, Kentucky has been fired for "low production", and the Union **upheld** the firing. Dan McAfee with 13 years seniority in the San Francisco Bay area has been suspended more than once for "low production". He is threatened with termination the next time. The Union again stood by and allowed it. There are probably many more people we don't know about yet.

PUT AN END TO IT

We have to put an end to this now, before we're all out the door or running so fast that we won't live to see our pension. (Maybe that's what the Union has in mind, since our pension fund is being bled dry.)

We have to force the Union to put a clause in all contracts specifically denying any recognition of production standards. This must immediately be incorporated into the contracts still being negotiated before the rank and file vote on them. In the contracts already signed, we have to demand that the Union reopen them and insert this clause. The Union has the power to do this.

In the meantime, report to **UPSurge** any cases of people being disciplined or fired for low productivity and what the Union is doing about it. If a Union panel upholds any disciplinary action for "low production", try to find out the names of the Union members of the panel ..... we want to make sure **everyone** knows who they are.

We will have to coordinate information on this Company attack on our conditions and expose any Union official who goes along with it. These local officials sitting on these grievance panels are not going to want to see their name spread all over the streets in their cities in connection with allowing "production standards" to be instituted in the trucking industry. We can get freight drivers to go along with us on this, since if UPS can get away with it, the freight companies won't be far behind. We can make it mighty uncomfortable for any Union official who plays along with UPS on this one.

United Parcel Service
East-Northeast Regions
Labor Relations Conference

The Productivity Case:
How To Get A Discharge For Low Productivity Sustained

1. **Success Depends Upon Action Taken Weeks and Months Prior to Discharge.**
   a. Unlike drunkennness or dishonesty, discharge for low productivity is cause for discharge only if the employee has had several warnings and suspensions. Progressive discipline is an absolute necessity in these cases.
   b. The action should be taken as a result of a program directed at all employees in similar jobs, not just one individual. It is particularly important that all people similarly situated be treated alike, without discrimination for any reason.

2. **The Program To Improve Productivity Must Be Carefully And Fairly Developed And Administered.**
   a. The problem area and persons must be specifically defined.
   b. Studies must be made to determine the level of production that may reasonably be required:
      (1) Production records are one of the best indicators, and are acceptable proof.
      (2) Time studies, delay studies, work analyses by industrial engineers, or even supervisors, are very valuable.
      (3) Periodic studies, though informal, by supervisors are valuable.
   c. Studies must be made to determine whether the low production is due to faulty equipment or workplace; due to inadequate training of employees in methods to be used; due to inadequate or incompetent supervision; due to physical or mental inability of employees to perform; or due to the unwillingness of the employees to perform.
   d. Every deficiency in equipment, workplace, training or supervision should be either corrected or given adequate allowance in determining the reasonable standard. Every reason given by the employees should be objectively and thoroughly checked out, and either proved without foundation, or if the reason has substance, either corrected or discounted in establishing the standard.

3. **An Employer Has A Legal Right To Establish And Enforce Reasonable Standards Of Performance Unless The Contract Specifically Says He Does Not.**
   a. The UPS Allegheny contract does not specifically prohibit performance standards. Therefore we have the right to establish and enforce them unilaterally.
   b. The challenge to the reasonableness of the standards occurs when an employee is disciplined, and the case goes to arbitration.

4. **Enforcement Of The Standards Must Also Be Reasonable And Non-discriminatory.**
   a. The standard having been established, it must be applied to all employees in the affected area without discrimination.
   b. When non-standard conditions are present, the standard cannot be applied.

5. **There Must Be Complete Documentation Of All Production Records, Studies and Actions.**
   a. Chances of success vary almost in direct proportion to documentation.
   b. Production records, studies and actions taken should be complete, legible and understandable.

6. **The Affected Employees Must Be Notified Of The Standard And The Requirement That They Meet It.**
   a. Before an employee can be disciplined for failing to perform, we must show that he knew what the standard was and that he is required to meet it.
   b. This notice must be documented.

7. **Employees Failing To Meet The Standard Should Be First Warned Orally; Then Given At Least One Written Warning; Then Suspended With A Written Warning; Then Given A Second And Longer Suspension With Written Notice That They Will Be Discharged If They Do Not Meet The Standard; Then Discharged.**
   a. The contract requirement that at least one warning notice be given within the nine months prior to any suspension or discharge applies.
   b. In these cases, the warning notice should be specifically for poor production.
   c. On **each** occasion, warning, suspension or discharge, claims of non-standard conditions or excuses should be investigated and either verified or shown to be inapplicable. This should be done at the time of each such warning, not left for later.

8. **The Record Of The Employee Who Is To Be Discharged Must Be Reviewed Before Discharge.**
   a. As a general rule it is impractical to discharge all employees who do not meet the standard. Therefore, the one or two people with the worst record should be selected.
   b. Although warning letters on productivity are necessary, warning letters or suspensions for other reasons are relavent. It is easier to sustain a discharge of an employee with many faults than that of an employee with only one. The employee with only one may not be able to do the job, and may merit transfer rather that discharge.
   c. Each supervisor who supervised the employee during the period of the program should be interviewed, and his comments and recommendations written down.
   d. The documentation should be assembled and reviewed.
   e. The persons making the decision should write memos for the file.

9. **The Normal Discharge And Grievance Procedure Should Then Be Followed.**

SUMMARY

Obviously it is unlikely that all of these specifications will be met in every case, but the closer we come, the better our chances.

For one thing, following this procedure is likely to avoid impetuous or ill-considered action by management. It is a way to be better managers.

One item bears repetition:

Every time a supervisor or industrial engineer takes any action, have him write a memo, date it, and sign it. There is no substitute for documentation and a complete file.

In these cases, the preparation begins months before the final action is taken -- before it is known who if anybody will be discharged. The purpose is to correct, not punish -- to make good employees, not to see how many we can discharge.

If we bear this in mind; if we get an arbitrator with a fair and open mind; and if we present our documents backed up by testimony of our supervisors and industrial engineers in a logical and unemotional manner, we should win virtually all of our cases.

If we rely on subjective opinions and undocumented recollections or accusations, we will lose many of our cases.

Your lawyer can only present the facts as you have developed them. Since these are almost entirely factual issues, as opposed to legal arguments, success will depend on how well you and your supervisors do your job.

John G. Wayman

Northern California Votes on Contract

Northern California's 24-Local region has been offered a contract it can and should refuse. The summary of the agreement is bad enough, but a full copy of the proposed contract is **not available** to the membership. In spite of this, the ballots are out and due back by July 28.

If accepted, this contract would set back conditions severely and it will give UPS the green light to fire people left and right. A few highlights:

- Immediate dismissal for gross insubordination.
- Grievance procedure modeled after Master Freight's.
- Utility drivers - same as the Central States.
- 30 day trial period to qualify for any change in job position.
- Seasonal employment to be effective Oct. thru Dec.
- Changes in starting times that have already taken place are formalized.
- Part timers to be stuck with a company health plan
- No increase in sick days
- Supervisors allowed to work under "limited conditions".

RAFT, Rank and File Teamsters of Northern California, have circulated over 4,000 newsletters in an attempt to vote this offer down. They list all of the above terms of the agreement as unacceptable and go on to demand that the old section on part timers be completely reworked.

Also, why should the membership vote on a contract they haven't even seen in full? What is the Union afraid of? What is the Union hiding? □

TERRY NEEDS HELP

Terry Ratajczyk, member of the **UPSurge** Central States Steering Committee, was fired just before the Central States strike. The charge was not reporting an accident in the yard while switching trailers. The other individual involved in the accident didn't report it either, but that man is back on the job after a brief suspension.

Terry's grievance for reinstatement and back pay was lost at the State Level in Minnesota. As of yet the panel has not told him why. Terry has hired a lawyer and is pursuing the case through civil court. He needs all the financial assistance **UPSurge** readers can give him. His fellow employees in Minneapolis started a benefit raffle for him and if you haven't already contributed to this case, please show your solidarity and support by sending donations to: Benefit, Minneapolis **UPSurge**, PO Box 18042, Minneapolis, MN 55418.

POSTAL WORKER

About a dozen people have written in for a bundle of the **Postal Worker**, a rank and file paper like **UPSurge** for postal workers. If you know any postmen or postwomen who are grumbling about the working conditions there, give them a copy of the **Postal Worker** Get a free bundle of 10 copies from **UPSurge**, PO Box 18213, Cleveland, OH 44118. □

How Were the Ballots Counted ?

How were the ballots counted for the Central States Contract? That's a question that many people have asked us.

When the votes were counted in Chicago, there were five rank and file observers present. First, the ballots are "validated" by checking the person's name and local number on the outside envelope. Then, the unmarked, inner envelopes containing the ballots are emptied and the ballots counted for each Local.

Ron Cordy, rank and file observer from Louisville, KY did his best to keep the count honest. This took a lot of determination, and evidently Dan Darrow (union negotiators) got a little annoyed and nervous with Ron's persistant attitude, especially at the end of the 1st day when Ron insisted on taping the ballot envelopes shut and getting three sets of intials across the tape.

We think Ron did a fine job for all of us, and our thanks go out to him. □

Tony Pro in Music City

We had a driver fired for having a CB antenna on his tractor (silly fellow). Not knowing exactly what to do when the Local wasn't taking apparent action to resecure this job the feeder steward wrote a letter.

This letter, to the feeder drivers, stated the situation as he saw it. He asked for a monetary contribution for this driver and that the other drivers call the Local Hall and inquire about this man's job. In this letter it was stated that the Union needed to "GET OFF IT'S DEAD ASS" and do something.

They did!!!

This letter was secured by a supervisor and sent to the Local. Needless to say, since the steward "did not understand the way the Union works," he was removed from his capacity as steward.

The driver got his job back after being off for a month with no back pay. Another driver was told by a Union official that people had been "bumped off" for less than what the steward had done.

A short while later two drivers from an outlying center were mauled by 8 Union goons after a Union meeting as our President and Vice President turned and walked into the safe confines of the labor temple. These two fellows had been talking to the local President when they were attacked. (Tony Pro in the Music City .... terrible situation.)

Your Southern Cousins
Nashville, Tenn.

Labor Secretary Usery cheered Fitz and Co. at the Las Vegas Convenion, calling himself "a member of the Teamster Club". So much for an impartial Government investigation of the Teamsters.

Central States Contract Voted In

The Central States Contract was voted in. But that doesn't tell the whole story. Look at where the contract was voted down ... all the places where **UPSurge** was strong and organized. [Minneapolis is the exception, but this is probably due to the fact that much of the outlying areas are in the Local. Minneapolis proper probably voted it down.] The vote shows it .... where you organize to stop a sell-out, you can have an effect. It's the places that **UPSurge** didn't get to that killed us.

Where **UPSurge** wasn't strong or didn't reach ... Wisconsin, the western states, and the small centers in the main states .... the contract passed. Where the part timers were the best organized, as in St. Louis, the NO vote was the largest percentage. **UPSurge** just didn't have enough time in the three months after the January 31st meeting in Indianapolis to reach everywhere we needed in the contract region.

And we had the Company and Union working against us all the time ... spreading the rumors about **UPSurge** being Communist and anti-Union. That hurt us and stopped **UPSurge** from spreading to all the areas it could have. The only people who gained from this was the Union and the Company. The rank and file got a worse contract because of it.

POSITIVE SIDE

Looking on the positive side; this contract was a step up from the last one ... but not much of one. **UPSurge** forced the Union to come back with more than it would have otherwise. UPS wanted to take some more away from us ... they didn't succeed. They wanted part time drivers, they didn't get them. They didn't want part timers to have any rights. **UPSurge** forced the Union to improve the situation for part timers. UPS was forced to make concessions on overtime, supervisors doing Union work, and bidding.

The Union was still too weak-kneed; they gave in too early. The two week strike was just beginning to hurt UPS and the Union called it off.

We now have to continue building up rank and file organization to stop this contract from being rewritten in the grievance procedure. We have to prepare for next time .... the national contract in 1979. We have to be a lot stronger. The Union won't do it for us unless we start changing the Union. UPS's attack on our working conditions won't stop in the time between contracts. In fact, UPS will escalate its attacks in the areas with the best conditions so that it can negotiate a national contract in 1979 based on the conditions in the worst areas.

We are only going to get and keep what we organize to fight for.

TALLY OF 1976 CENTRAL STATES UPS CONTRACT VOTE

Total ballots sent out ... 13,625 Returned ... 10,526 Yes ... 6,190 No ... 4,226
Spoiled ... 29 Voided Prior to Opening ... 81

LOCAL		TOTAL VOTES	YES	NO	SPOILED	VOTED NO
7	Kalamazoo, Mich.	137	91	46	0	
17	Denver, Colo.	97	93	4	0	
20	Toledo, Ohio	279	139	138	2	
34	Battle Creek, Mich.	37	21	16	0	
40	Mansfield, Ohio	88	64	24	0	
41	Kansas City, MO.	344	143	201	0	XX
89	Western Kentucky	365	101	264	0	XX
90	Des Moines, Iowa	288	239	49	0	
92	Canton, Ohio	83	58	25	0	
100	Cincinnati, Ohio	311	135	175	1	XX
120	St. Paul, Minn.	58	33	25	0	
123	North Dakota	88	66	22	0	
146	Colorado Springs, Co.	98	94	4	0	
147	Des Moines, Iowa	65	60	5	0	
164	Jackson, Mich.	49	24	25	0	XX
200	Milwaukie, Wis	15	11	4	0	
218	Burlington, Iowa	22	18	4	0	
238	Cedar Rapids, Iowa	68	45	23	0	
243	Detroit, Mich	894	305	586	3	XX
307	Casper, Wyo.	95	86	9	0	
328	Escanaba, Mich.	79	73	6	0	
332	flint, Mich.	68	37	31	0	
339	Port Huron, Mich.	11	8	3	0	
344	Milwaukee, Wis.	1193	1021	168	4	
346	Duluth, Minn.	99	62	37	0	
348	Akron, Ohio	87	21	66	0	XX
377	Youngstown, Ohio	110	36	74	0	XX
383	Sioux City, Iowa	57	45	12	0	
406	Grand Rapids, Mich.	159	140	19	0	
407	Cleveland, Ohio	652	295	355	2	XX
413	Columbus, Ohio	425	153	271	1	XX
421	Debuke, Iowa	30	24	6	0	
435	Denver, Colo.	295	254	40	1	
486	Saginaw, Mich.	204	113	91	0	
527	Muskegan, Mich.	63	37	26	0	
554	Omaha, Nebr.	383	344	36	3	
571	ELYRIA, OHIO	28	0	28	0	XXXXXX
580	Lansing, Mich.	82	62	20	0	
637	Sanesville, Ohio	79	70	9	0	
638	Minneapolis, Minn.	828	475	352	1	
650	Waterloo, Iowa	111	88	23	0	
651	Lexington, Kentucky	364	230	120	4	
688	St. Louis, Missouri	825	201	619	5	XXX
696	Topeka, Kansas	150	130	19	1	
749	South Dakota	171	147	24	0	
790	Marshalltown, Iowa	20	12	8	0	
795	Wichita, Kansas	100	73	27	0	
828	Mason City, Iowa	33	28	5	0	
957	Dayton, Ohio	172	119	52	1	
964	Cleveland, Ohio	32	26	6	0	

Local Newsletters

There are a number of local newsletters coming out at UPS terminals around the country. We at **UPSurge** would like to see them all on a regular basis. Therefore, **please send us about 5 copies of each issue for our files.** Also, each local newsletter should put all the other ones on their mailing list. It is important that all our information be pooled. Below is a list of local UPSurge groups or newsletters.

Kansas City UPSurge
PO Box 2568
Kansas City, KS 66110

Indy UPSurge
PO Box 68175
Indianapolis, IN 46268

Minneapolis UPSurge
PO Box 18042
Minneapolis, MN 55418

The Other Idea
4854 Margaret Dr.
Berkeley, MO 63134

CAPITOL UPSURGE
Box 2544
Landover Hills, MD 20784

UPSurge West
PO Box 1898
Lynwood, CA 90262

Pittsburgh HUB
PO Box 6390
Pittsburgh, PA 15212

Screw UPS
Box 84
Mt. Pleasant, MI 48858

The Write UP
PO Box 19105
Detroit, MI 48219

RAFT
PO Box 1728
Daly City, CA 94014

Utah UPSurge
PO Box 8781
Salt Lake City, Utah 84108

Order Form

NAME_____

ADDRESS_____

CITY_____ ZIP

- ☐ 10 issue subscription.....$3.00
- ☐ 10 copy bundle.....$3.00
- ☐ 25 copy bundle.....$5.00
- ☐ 50 copy bundle.....$8.00
- ☐ 100 copy bundle.....$15.00

UPSURGE PO BOX 18213 CLEVELAND, OH 44118

We are temporarily out of **Ready to Strike** T-shirts - our source of supply dried up. We are setting up a new T-shirt printing operation in our office here. We will let you know next issue the availability of these and other T-shirts. If anyone has a new idea for a T-shirt, let us know right away. Also, the **Ready to Strike** stickers have run out. Here's what we have left:

- **Ready to Strike** buttons.....50¢ each of 3 for $1
- Super sticky stickers.....15 for $1
- Vinyl bumper stickers.....75¢ each
- License plate.....$2.50 each